

PRELIMINARY AMENDMENT  
Attorney Docket Q62246

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terminal can comprise next to its terminal equipment also a USIM that has its own processing capability.

Page 11, after line 24, insert the heading --**Brief Description of the Drawings**--.

after line 30, insert the heading --**Detailed Description of the Invention**--.

**IN THE CLAIMS:**

1. (Amended) A processing environment determining device for inclusion in a telecommunication network, **characterized** in that said processing environment determining device comprises a first which retrieves at least one processing capability information associated with any one of a terminal, a network element of a sub-network and a service provider equipment of a service provider of said telecommunication network; and said processing environment determining device further comprises an appointing device coupled to said first retriever to appoint, for a predefined service of a predefined client, according to predefined rules and conditions, and according to said processing capability information, one or more out of said terminal, said network elements and said service provider equipment, and to determine thereby an appointed processing environment that has to be used to execute said predefined service.

2. (Amended) The processing environment determining device according to claim 1, characterized in that said predefined rules and conditions are at least partly determined by any one of:

user requirements and user preferences of a user that uses said terminal,  
operator requirements and operator preferences of an operator that exploits said network element,  
service provider requirements, and  
service provider preferences of a service provider that operates said service provider equipment.

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3. (Amended) The processing environment determining device according to claim 1, characterized in that said processing environment determining device comprises a second retriever retrieving any one of said user requirements, said user preferences, said operator preferences, said server provider requirements, said service provider preferences from any one of said terminal, said network elements and said service provider equipment in order to update said predefined rules and conditions accordingly.

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4. (Amended) The processing environment determining device according to claim 1, characterized in that said first retriever retrieves said processing capability information from any one of a terminal capability server of said terminal via predefined terminal application open signals and a network service capability server of a sub-network via predefined network application open service architecture signals.

5. (Amended) The processing environment determining device according to claim 1, characterized in that said processing environment determining device is comprised in any one of a terminal, a sub-network being any one of a home network, a visited network and an intermediate network of said telecommunication network and a service provider equipment.

6. (Amended) The processing environment determining device according to claim 1, characterized in that said first retriever retrieves processing capability information that is associated with any one of a User Service Identity Module of said terminal and a terminal equipment of said terminal.

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7. (Amended) A terminal capability server of a terminal to be used in a telecommunication network, said terminal capability server adapted to translate first application signals into first predefined terminal application open signals and to translate second predefined terminal application open signals into second application signals, characterized in that said first predefined terminal application open signals and said second predefined terminal application open signals comprises a processing capability environment determining device according to claim 4.

8. (Amended) A network service capability server of a sub-network of a telecommunication network, said network service capability server adapted to translate first application signals into first predefined network application open service architecture signals and to translate second predefined network application open service architecture signals into second application signals, characterized in that said first predefined network application open server architecture signals and said second predefined network application open service architecture signals comprise processing capability information in order to be forwarded to a processing environment determining device according to claim 4.

9. (Amended) A telecommunication network, characterized in that said telecommunication network comprises at least one processing environment determining device according to claim 1.